

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :
 : 1:95-CR-204
 :
 v. :
 : (JUDGE MANNION)
 DERRICK CRUZ, :
 :
 Defendant :

ORDER

For the reasons set forth in the Memorandum of this date, **IT IS
HEREBY ORDERED THAT:**

1. Cruz's motion for a resentencing hearing and for a reduction of sentence under the FSA, **(Doc. 331)**, will be **GRANTED IN PART** and, **DENIED IN PART**.
2. Cruz's motion is **GRANTED** to the extent that the court reduces his five year term of supervised release to **four years**.
3. Cruz's motion is **DENIED** to the extent he seeks a plenary resentencing hearing under the FSA and, to the extent he seeks a *de novo* hearing for consideration of the relevant factors under §3553(a).
4. Cruz's motion is **DENIED** to the extent he seeks a reduction of his current 135 month sentence under the FSA.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Dated: July 12, 2019

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